

**COPY**

PATENT APPLICATION  
DOCKET NO.: WJT001-0012

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)**  
**DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: SYSTEM AND METHOD FOR DETECTING AN INTRUDER USING IMPULSE RADIO TECHNOLOGY the specification of which: (mark only one)

- (a) is attached hereto.
- (b) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)
- (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_
- (e) was filed on September 14, 2001 and assigned Application Serial No 09/952,206.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

**PRIOR FOREIGN PATENTS**

| <u>Number</u> | <u>Country</u> | <u>Month/Day/Year Filed</u> | <u>Date first laid-open or Published</u> | <u>Date patented or Granted</u> | <u>Priority Claimed</u> |
|---------------|----------------|-----------------------------|--|---------------------------------|-------------------------|
|               |                |                             |  |                                 | <u>Yes</u> <u>No</u>    |

NONE

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

**PRIOR U.S. OR PCT APPLICATIONS**

| <u>Application No. (series code/serial no.)</u> | <u>Month/Day/Year Filed</u> | <u>Status(pending, abandoned, patented)</u> |
|---|-----------------------------|---|
| Serial No. 60/232,562 (Provisional App.)        | September 14, 2000          | Pending                                     |

I hereby appoint:

James S. Finn, Reg. No. 38,450  
George P. Kobler, Reg. No. 46,837

of Time Domain Corporation; and

William J. Tucker, Reg. No. 41,356

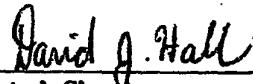
as my attorneys, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-parts, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

William J. Tucker, Esq.  
8650 Southwestern Blvd. #2825  
Dallas, TX 75206-2688  
214/368-4978  
Customer No. 27512

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAMED INVENTOR(S)

|  |  |   |                                  |
|--|--|---|----------------------------------|
| 1  | <b>David J. Hall</b><br><b>Full Name</b>             | <br><b>Inventor's Signature</b> | <b>11/30/2001</b><br><b>Date</b> |
|  | 324 Usher Road<br>Madison, AL 35757<br>United States | <b>United States of America</b><br><b>Citizenship</b>   |                                  |
| <b>Residence (city, state, country)</b>              |  |   |                                  |
| 324 Usher Road<br>Madison, AL 35757<br>United States |  |   |                                  |
| <b>Post Office Address (include zip code)</b>        |  |   |                                  |

(FOR ADDITIONAL INVENTORS, check here X and add additional sheet for inventor information regarding signature, name, date, citizenship, residence, and address)

|   |   |  |                         |
|---|---|--|-------------------------|
| 2 | <b>Scott M. Yano</b><br><b>Full Name</b>  | <br>Inventor's Signature | <u>11/27/01</u><br>Date |
|   | 1151 Point Clear Place, Apt. 1528<br>Huntsville, AL 35824<br>United States<br><b>Residence (city, state, country)</b>       | United States of America<br><b>Citizenship</b>   |                         |
|   | 1151 Point Clear Place, Apt. 1528<br>Huntsville, AL 35824<br>United States<br><b>Post Office Address (include zip code)</b> |  |                         |

|   |   |  |                           |
|---|---|--|---------------------------|
| 3 | <b>Hans G. Schantz</b><br><b>Full Name</b>  | <br>Inventor's Signature | <u>11/29/2001</u><br>Date |
|   | 1711 Pinewood Drive<br>Huntsville, AL 35806<br>United States<br><b>Residence (city, state, country)</b>       | United States of America<br><b>Citizenship</b>   |                           |
|   | 1711 Pinewood Drive<br>Huntsville, AL 35806<br>United States<br><b>Post Office Address (include zip code)</b> |  |                           |



**COPY**

MAY 01, 2002

PTAS

Commissioner for Trademarks  
Arlington, VA 22202-3513  
www.uspto.gov

WILLIAM J. TUCKER, ESQ.  
8650 SOUTHWESTERN BLVD. #2825  
DALLAS, TX 75206-2688



\*102008219A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/22/2002

REEL/FRAME: 012638/0927

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

HALL, DAVID J.

DOC DATE: 11/20/2001

ASSIGNOR:

YANO, SCOTT M.

DOC DATE: 11/27/2001

ASSIGNOR:

SCHANTZ, HANS G.

DOC DATE: 11/29/2001

ASSIGNEE:

TIME DOMAIN CORPORATION  
7057 OLD MADISON PIKE  
HUNTSVILLE, ALABAMA 35806

SERIAL NUMBER: 09952206

FILING DATE: 09/14/2001

PATENT NUMBER:

ISSUE DATE:



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STEVEN POST, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

|   |  |
|---|--|
| <p>FORM PTO-1595 RECORDATION FORM COVER SHEET U.S. DEPARTMENT OF COMMERCE<br/>         (Rev. 6-93) Patent and Trademark Office<br/>         OMB No. 0651-0011 (exp. 4/94) PATENTS ONLY<br/>         Tab settings <input type="checkbox"/> <input type="checkbox"/></p> <p style="text-align: right;">2-22-02</p> <p>To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.</p> |  |
| <p>1. Name of conveying party(ies):</p> <p>David J. Hall<br/>         Scott M. Yano<br/>         Hans G. Schantz</p> <p style="text-align: center;">03-11-2002</p> <p style="text-align: center;"></p> <p style="text-align: center;">102008219</p>  |  |
| <p>Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><i>MRD<br/>2/22/2</i></p>  |  |
| <p>2. Name and address of receiving party(ies):</p> <p>Time Domain Corporation<br/>         Street Address:<br/>         7057 Old Madison Pike<br/>         Huntsville, AL 35806</p>  |  |
| <p>Additional name(s) &amp; address(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>   |  |
| <p>3. Nature of conveyance:</p> <p><input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger<br/> <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name<br/> <input type="checkbox"/> Other</p>  |  |
| <p>Execution Date: November 30, 2001, November 27, 2001 and November 29, 2001, respectively.</p>  |  |
| <p>4. Application number(s) or patent number(s): U.S. Serial No. 09/952,206 (filed September 14, 2001)</p>  |  |
| <p>If this document is being filed together with a new application, the execution date of the application is:</p>   |  |
| <p>Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>   |  |
| <p>5. Name and address of party to whom correspondence concerning document should be mailed:</p> <p>William J. Tucker, Esq.<br/>         8650 Southwestern Blvd. #2825<br/>         Dallas, Texas 75206-2688<br/>         Customer No. 27512</p>  |  |
| <p>6. Total number of applications and patents involved: One (1)</p>  |  |
| <p>7. Total fee (37 C.F.R. 3.41): \$ <u>40.00</u></p>   |  |
| <p><input type="checkbox"/> Enclosed</p>  |  |
| <p>Authorized to be charged to deposit account</p>  |  |
| <p>8. Deposit account number:<br/> <u>50-1481</u><br/>         (Attach duplicate copy of this page if paying by deposit account)</p>  |  |

9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

William J. Tucker  
Name of Person Signing

Signature (Reg. No. 41,356)  
Total number of pages including cover

Date

February 8, 2002

Total number of pages including cover sheet, attachments, and document:

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents and Trademarks, Box Assignments

03/09/2002 LWEILLER 00000357 09952206

Washington, D.C. 20231

01 FC-581

40-00 80

## ASSIGNMENT

WHEREAS, we, David J. Hall, Scott M. Yano, and Hans G. Schantz have invented certain new and useful improvements in the following:

**SYSTEM AND METHOD FOR DETECTING AN INTRUDER USING IMPULSE RADIO TECHNOLOGY**  
for which we have made application for United States Letters Patent; and,

WHEREAS, Time Domain Corporation, a corporation organized and existing under the laws of Delaware, having its principal place of business at 7057 Old Madison Pike in Huntsville, Alabama (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives our entire right, title and interest in and to said invention and in and to said applications and all patents which may be granted therefore, and all divisions, reissues, substitutions, continuations-in-parts and continuations thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as each of our interests are concerned, to the said ASSIGNEE.

We also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive rights, title and interest to the invention disclosed in said applications throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and

We further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

We hereby further agree that I will communicate to said ASSIGNEE, or its successors, assigns and legal representatives, any facts known to either of us respecting any improvements; and, at the expense of said ASSIGNEE, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make all lawful oaths, and generally do everything possible to vest title in said ASSIGNEE and to aid said ASSIGNEE, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

We further authorize and direct our attorneys to insert below\* the serial number and filing date of said application now identified as Case Docket No. WJT001-0012 as soon as the same shall have been made known to them by the United States Patent Office.

\*Serial Number: 09/952,206

Filing Date: September 14, 2001

**INVENTORS**

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 30 day of NOVEMBER, 2001.

David J. Hall

David J. Hall  
324 Usher Road  
Madison, AL 35757

State of Alabama §

§ ss.:

County of Madison §

On this 30th day of November, 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared, David J. Hall, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.

Linda M. Lee  
Notary Public

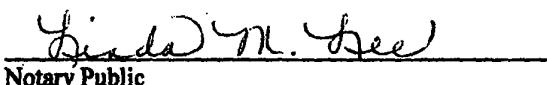
MY COMMISSION EXPIRES 9-7-2003

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27 day of November, 2001.

  
\_\_\_\_\_  
Scott M. Yano  
1151 Point Clear Place, Apt. 1528  
Huntsville, AL 35824

State of Alabama §  
§ ss.:  
County of Madison §

On this 27<sup>th</sup> day of November, 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared, Scott M. Yano, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.

  
\_\_\_\_\_  
Notary Public

MY COMMISSION EXPIRES 9-7-2003

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

\_\_\_\_\_  
Hans G. Schantz  
1711 Pinewood Drive  
Huntsville, AL 35806

State of Alabama §  
§ ss.:  
County of Madison §

On this 29<sup>th</sup> day of November, 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared, Hans G. Schantz, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.

  
\_\_\_\_\_  
Notary Public

IN WITNESS WHEREOF, I have hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

---

Scott M. Yano  
1151 Point Clear Place, Apt. 1528  
Huntsville, AL 35824

State of Alabama §  
§ ss.:  
County of Madison §

On this \_\_\_\_\_ day of \_\_\_\_\_, 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared, Scott M. Yano, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.

---

Notary Public

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 29<sup>th</sup> day of November, 2001.

Hans G. Schantz  
Hans G. Schantz  
1711 Pinewood Drive  
Huntsville, AL 35806

State of Alabama §  
§ ss.:  
County of Madison §

On this 29<sup>th</sup> day of November, 2001, before me, a Notary Public in and for the State and County aforesaid, personally appeared, Hans G. Schantz, known by me to be the person of the above name who signed and sealed the foregoing instrument, and acknowledged the same to be his own free act and deed.

Linda M. Lee  
Notary Public

MY COMMISSION EXPIRES 9-7-2003